

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**ANGEL PINEDA-SANTANA,
JOSE MEJIA,
ROBERT JONES,
OSCAR AVILA, and
PEDRO SORIANO,**

Defendants.

8:08CR182

ORDER

This matter is before the court on the motions for an extension of time by defendants Oscar Avila (Avila) (Filing No. 34) and Pedro Soriano (Soriano) (Filing No. 35). Both defendants seek until an additional forty-five days in which to file pretrial motions in accordance with the progression order. Defendants' counsel represent that the defendants will file an affidavit wherein they consent to the motion and acknowledges they understand the additional time may be excludable time for the purposes of the Speedy Trial Act . Defendants' counsel represent that government's counsel has no objection to the motion. Upon consideration, the motions will be granted **and the pretrial motion deadline will be extended for all defendants.**

IT IS ORDERED:

The motions for an extension of time by defendants Avila and Soriano (Filing Nos. 34 and 35) are granted. **All defendants** are given until **on or before July 2, 2008**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 16, 2008 and July 2, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 16th day of May, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge